

United States Patent and Trademark Office



APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/669,784	09/25/2000	Gordon Israelson	00P7919US	00P7919US 3754	
. 7:	590 06/20/2002				
Siemens Corp		EXAMINER			
186 Wood Ave		YUAN, DAH WEI D			
Iselin, NJ 088	30		ART UNIT	PAPER NUMBER	
			1745	G	
			DATE MAILED: 06/20/2002	-/	

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)					
Advisory Action	09/669,784	ISRAELSON, GORDON					
7.4	Examiner	Art Unit					
	Dah-Wei D. Yuan	1745					
The MAILING DATE of this communication appe	ears on the cover sheet with the o	orrespondence add	ress				
THE REPLY FILED 29 May 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.							
PERIOD FOR RE	EPLY [check either a) or b)]						
a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).							
Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offic timely filed, may reduce any earned patent term adjustment. See 37 C	of extension and the corresponding amount the shortened statutory period for reply ce later than three months after the mai	ount of the fee. The appropriate originally set in the final	ropriate extension Office action; or				
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.							
2. The proposed amendment(s) will not be entered be	ecause:						
(a) they raise new issues that would require further	er consideration and/or search (see NOTE below);					
(b) they raise the issue of new matter (see Note b							
(c) they are not deemed to place the application in issues for appeal; and/or	n better form for appeal by mate	rially reducing or sir	nplifying the				
(d) they present additional claims without canceli	ng a corresponding number of f	inally rejected claim	S.				
NOTE:							
Applicant's reply has overcome the following rejecti	ion(s):						
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed	amendment				
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because: Sec		idered but does NO	T place the				
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY	to issues which were	e newly				
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we	• • •	=	and an				
The status of the claim(s) is (or will be) as follows:							
Claim(s) allowed:							
Claim(s) objected to:							
Claim(s) rejected: 1-20.							
Claim(s) withdrawn from consideration:							
8. \square The proposed drawing correction filed on is	a) approved or b) disapp	proved by the Exami	iner.				
9. Note the attached Information Disclosure Statemen	nt(s)(PTO-1449) Paper No(s)	<u> </u>					
10. Other:							
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Continuation of 5. does NOT place the application in condition for allowance because: Applicants' request for withdrawl of finality has been considered but is not persuasive. Applicant states that the IDS filed 11 March 2002 is from a search report for a counterpart foreign application from a foreign patent office. However, evidence showing the European search report dated 27 December 2001 is for a counterpart foreign application is lacking. Neither the declaration filed with the instant application nor the search report for EP 01308151 suggest the two applications are counterparts. It is also noted that a fee of \$180 was charged against the applicants' account for the submission of the IDS. (Fee code 126; see attached.) As a result, the supplemental IDS is treated in accordance with 37 CFR 1.17(p) and the finality of the rejection is maintained.

In response to applicant's argument that the instant invention is distinct from Willis because Wills combines fuel streams while applicant's invention segregates fuel streams. However, the limitation "passing the sulfur concentrated stream back to the main feed stream downstream from where the stream from step 2 is provided" does not require segregation of fuel streams. Applicant's claim encompasses feeding the sulfur-rich stream in alternate locations, as indicated by the marked up copy of applicant's Figure 1. The distinction in gas flows between the instant invention and the prior art does not appear to be distinctly claimed.

CAROL CHANEY
PRIMARY EXAMINER

6-17-02



Revenue Accounting and Management

Name/Number: 09669784

Start Date: Any Date

Total Records Found: 3

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount Mailroom Date	Payment Method
10/05/2000	00000002	<u>1</u>	<u>101</u>	\$690.00 09/25/2000	DA 192179
10/27/2000	00000136	<u>1</u>	<u>581</u>	\$40.00 09/25/2000	DA 192179
03/25/2002	00000004	<u>1</u>	<u>126</u>	\$180.00 02/26/2002	DA 192179

